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**DEPARTMENT OF WORKFORCE SERVICES
 ISSUANCE NUMBER PY 18-14**

Daryl E. Bassett, Director

May 14, 2019

TO: Local Workforce Development Board Directors

SUBJECT: Risk Assessment, Sunshine Provision, and the Local Workforce Development Board (WDB) Permanent File and Annual Reporting (Form)

- I. **Purpose:** To meet the State’s requirement of assessing risk for all subrecipients under 2 CFR 200.331 and to ensure compliance with the sunshine provision under 20 CFR 679.390, improve technical assistance, and facilitate performance reporting in a manner that minimizes requests for information to the Local Workforce Development Boards (LWDBs).
- II. **General Information:** The Arkansas Department of Workforce Services (ADWS) will be implementing, as an alternative to the Risk Assessment process used for discretionary awards, a maintenance file for each LWDB. Additionally, the State will leverage its own website to create a centralized repository for those items required by 20 CFR 679.390, “How does the Local Workforce Development Board meet its requirement to conduct business in an open manner under the “sunshine provision” of the Workforce Innovation and Opportunity Act?” (WIOA secs. 101(g) and 107(e). Additional information provided in TEGL 15-16, pages 9-10, specify how this requirement relates to the One-Stop Operator Selection process. This standard request will be combined with annual requests for performance reports, which will consolidate much of the information requests into one process.

III. Instructions:

Part 1- Facilitating the requirements of 20 CFR 679.390, the “Sunshine” Provision:

To facilitate meeting the sunshine provision requirement and increasing the accessibility of Workforce Innovation and Opportunity Act (WIOA) related information to the public, ADWS will establish a webpage for each of the LWDBs on the ADWS website to provide standardized information. The webpages will be uniform in appearance and content.

For each requirement listed section 679.390 (see below), the LWDBs are required to follow one of the two approaches below:

- a. If the LWDB has its own website, post the information in an accessible PDF on the LWDB website and report to ADWS the URL of the page where the information will be maintained. Please note that the URL of the document itself is not requested, rather, the hyperlink should lead to a webpage

where this information can be maintained separately by the LWDB. ADWS will post the hyperlink on the ADWS webpage created for the LWDB OR

- b. If the LWDB does not have its own website, provide an accessible PDF to ADWS who will post the documents on the ADWS webpage created to the LWDB.

The required reporting follows:

- a. Local Plans and modifications, approved;
- b. Draft Local Plans and Modifications to be submitted;
- c. Current Local Workforce Development Board (WDB) membership;
- d. Selection of One-Stop Operator with Documentation, additional detail from TEG 15-16 (p. 9-10).
 - i. "The information that Local WDBs are required to make available to the public includes, but is not limited to,
 1. The Local WDB's written conflict of interest policy,
 2. The Local WDB's written procurement policies,
 3. The procurement solicitation itself,
 4. A listing of the entities that have submitted bids or proposals,
 5. An abstract of those bids or proposals,
 6. The identity of the selected one-stop operator, and
 7. Total award amount and duration of the contract with the one-stop operator."
- e. Award of grants or contracts to Eligible Training Providers;
- f. Minutes of formal meetings of the Local WDB; and
- g. Local WDB by-laws, consistent with 20 CFR 679.310(g).

This information will be posted on the ADWS website by either method (through a hyperlink to the page where this information is maintained, or by providing accessible PDFs for ADWS to manually post) on standardized webpages established for each LWDB. This effort will make the information accessible and centralized to help the public find the information easily.

Although, scanned copies may be posted, for example, to provide signatures, all documents made available under this procedure must be made available in an accessible PDF format.

Part 2- If the LWDB would like to include success stories or other hyperlinks that could be useful, ADWS will consider adding additional items to the standard webpage for each LWDB, but would like all of these pages to be consistent. Please email suggestions to WIOA@arkansas.gov.

Part 3- Facilitating the requirements of 2 CFR 200.331, pass-through risk assessment requirements, and facilitation of monitoring and annual reports through standardized reporting:

The attached document will be used to facilitate the risk assessment process for LWDBs receiving formula awards under WIOA Title I. Additionally, many of the responses and documents requested are useful for planning monitoring engagements, providing better technical assistance, and completing performance reports. Therefore, in an effort to consolidate these standard requests for information, LWDBs will be required to submit responses once per year with all requested documentation. Some responses and documentation must be maintained between years. The attachment provides further instructions specifying which of the documents or responses require ADWS to be updated within 30 days.

The Risk Assessment form may still be required for LWDBs in certain situations. For example, discretionary awards that have risk apart from formula awards may require a risk assessment. If the information is provided through the processes described in this issuance, the LWDB may make reference to compliance with this request.

Although this annual request will not eliminate all requests for information, this should streamline the process in many situations.

Part 4- Monitoring process changes:

Beginning in the PY19 monitoring schedule, ADWS will make the following changes:

1. Fiscal Monitoring will no longer monitor the entire previous year up to the current date, but will focus on the previous fiscal year ending June 30th.
2. To facilitate this change and streamline the review process, documentation for the year ending June 30th, 2019 will be required to be provided to ADWS by September 30, 2019, for each local area via SharePoint. All Local Areas will have the same deadline.

This in no way restricts the possibility of sampling in the current year, if appropriate. However, monitors will focus on prior-year activity unless an issue arises that could have impacted the current year.

- II. **Action Required:** Questions about this issuance, attachments, requirements, and recommendations for improving this effort may be submitted to Kris Jones, ADWS Employment Assistance Assistant Director, at kris.jones@arkansas.gov.

Submission Deadlines:

- Annual Responses to the attached LWDB Permanent File and Annual Reporting Form are due by **September 30th of each year, or within 90 days of this issuance.**
- **Annual reporting requirements are due September 30th of each year. To the extent possible, the responses should be provided in an accessible format.**
- Please note that some documents and responses must be maintained continuously. If designated as such in the LWDB Standard Maintenance and Reporting Requests, the LWDB must provide the required information, a new hyperlink, or update the current webpage on their website within 30 days of the effective date of the change.
- PY19 Fiscal Monitoring Documentation Requests files must be uploaded on the appropriate SharePoint site, and correctly labeled, by September 30th, 2019.

All submission deadlines shall continue for each year.

- III. **Inquiries:** Send to kris.jones@arkansas.gov

- IV. **Expiration Date:** Ongoing